

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:08cr122

UNITED STATES OF AMERICA

vs.

MICHAEL CYRUS VAUGHN

ORDER

THIS MATTER is before the Court upon request of the defendant for the Court to disclose materials relating to his criminal case, pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. (Doc. No. 23).

A district court is not an “agency” under FOIA; thus, the Act has no application to materials in the Court’s possession. 5 U.S.C. §§ 551(1)(b) and 552(f)(1); Crystal Grower’s Corp. v. Dobbins, 616 F.2d 458, 461 n.1 (10th Cir. 1980); United States v. Mitchell, No. 03-6938, 2003 WL 22999456 (4th Cir. Dec. 23, 2003) (unpublished).

IT IS, THEREFORE, ORDERED that the defendant’s Freedom of Information Act Request (Doc. No. 125) is **DENIED**.

Signed: December 1, 2010



Robert J. Conrad, Jr.
Chief United States District Judge

